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HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO:4610 of 2000

DATED:31-08-2006

Between:

T.S.Sarma

..... PETITIONER

AND

1. The Government of India, rep.by the Secretary, Ministry of Health and Family Welfare Government of India, Nirman Bhavan, New Delhi and 4 others.

.....RESPONDENTS

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ORDER:

While Sri K.Chidambaram, learned counsel for the petitioner, would submit that the subject matter of the present writ petition is covered by the judgment of this Court in W.P.No.1699 of 1995 dated 02-01-1998 which was affirmed by the Division Bench of this Court in W.A.No.618 of 1998 dated 17-08-1998, Sri M.Ganga Rao, learned Central Government Standing Counsel, while agreeing that the subject matter is covered by the Division Bench judgment of this

Court, would, however, request that this Court take a different view in view of the averments in the counter-affidavit.

Judicial discipline requires that a Single Judge of the High Court follow the law laid down by a Division Bench. I am therefore, not persuaded to accept the submissions made by the Central Government Standing Counsel in this regard.

This writ petition is accordingly ordered in terms of the order in W.P.No.1699 of 1995 dated 02-01-1998 as affirmed in W.A.No.618 of 1998 dated 17-08-1998. No costs.

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31st August, 2006

SKM